



REPUBLIC OF MOZAMBIQUE

COUNCIL OF MINISTERS

Decree no. 56/2010
Of 22 November

Having become necessary to promote the correct and efficient environmental management of petroleum resources, with a view towards the Country's sustainable development, pursuant to Article 29 of Law n.º 3/2001 of 21 February, which approves the Petroleum Law, together with Article 33 of Law n.º. 20/97 of 1 October, which approves the Environmental Law, the Council of Ministers hereby determines:

Article 1. The Environmental Regulations for Petroleum Operations set out in the annex to this Decree and which constitute an integral part thereof are hereby approved.

Article 2. It is the responsibility of the Minister who oversees the Environmental sector to approve, by Ministerial Diploma, the instructions and basic rules of Environmental Management and further instruments deemed necessary to enable the implementation of the Regulations hereby approved.

Article 3. It is the responsibility of the Minister who oversees the Petroleum sector to create the Inter-Institutional Group for Petroleum Operations.

Approved by the Council of Ministers on 24th August 2010

Be it published.

The Prime Minister, Aires Bonifácio Baptista Ali

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ENVIRONMENTAL REGULATIONS FOR PETROLEUM OPERATIONS

CHAPTER I GENERAL PROVISIONS

Article 1 Definitions

For the purposes of these Regulations, the following [terms] mean:

- a) Environmental Impact Assessment Authority – the Ministry that oversees the Environmental sector, through the National Directorate of the Environmental Impact Assessment;
- b) Area of Influence – the geographic area and space directly or indirectly affected by the impact arising from Petroleum Operations;
- c) Environmental Impact Assessment (EIA) – the preventive environmental management instrument which consist of prior identification and analysis, both qualitative and quantitative, of the possible beneficial and harmful effects of a proposed activity on the environment;
- d) Category A –activities related with the development, production, construction and operation of an oil pipeline or gas pipeline systems and decommissioning and other activities to be carried out in sensitive ecosystems and conservation areas
- e) Category B – activities related to exploration, except in conservation areas and sensitive ecosystems;
- f) Category C – activities which by their nature do not entail negative impacts on the Environment and public health;
- g) Public Consultation – the process of seeking the views of different relevant sectors and civil society, including legal and natural persons, directly or indirectly interested and/or potentially affected by the Petroleum Operations proposed during the EIA;
- h) Declaration of Exemption – the document issued by the Ministry which oversees the Environmental area that confirms the exemption from carrying out an Environmental Impact Study or a Simplified Environmental Study for Category C Activities;
- i) Simplified Environmental Study (SES) – the component of the EIA process which analyzes technically, scientifically and socially the environmental consequences of the implementation of Category B Activities on the environment;
- j) Environmental Impact Study (EIS) – a component of the EIA process which analyzes technically, scientifically and socially the environmental consequences of the implementation of Category A activities;
- k) Environmental Pre-Feasibility Study and Scope Definition (PSSD) – the document aimed at identifying, assessing the main impacts, analysing alternatives to the project, as well as defining the scope of the EIS and SES, by means of selection or identification of the environmental components that may be affected by the petroleum operations and which the EIS and the SES shall address;

- l) Environmental License – the certificate confirming the environmental feasibility of proposed Category A Activity or Category B Activity Petroleum Operations, issued by the Ministry which oversees the environmental sector;
- m) New Concession Area – the area of the national territory, in respect of which, according to International Law, the Republic of Mozambique has sovereign rights for the purpose of exploration and production of mineral resources which has not yet been the object of concession for the conduct of Petroleum Operations;
- n) Operator – the holder of the rights to conduct Petroleum Operations or the company performing Petroleum Operations on behalf of the holder of the concession and that is responsible for complying with the provisions of applicable national legislation
- o) Petroleum Operations – all or any of the operations related to exploration, development, production, separation and treatment, storage, transport and sale or delivery of petroleum at the agreed supply point in the country, including the operations of natural gas processing and the closure of all operations concluded;
- p) Public Participation – the process aimed at informing and seeking the views of the parties, direct or indirectly interested and affected by the Petroleum Operations and which is carried out during the EIA process;
- q) Environmental Management Plan – the set of actions and measures to be carried out by the Proponent, in order to manage the negative impacts and maximize the positive impacts resulting from the implementation of the proposed activity, prepared under the scope of the EIA;
- r) Pre-Assessment – the process of preliminary environmental analysis mainly aimed at categorizing the activity and the determining of the type of environmental assessment to be conducted;
- s) Terms of Reference (ToR) – the document containing the specific parameters and information which shall direct the preparation of the EIS or the SES for the Petroleum Sector;
- t) Proponent – any person, public or private, national or foreign, holder of rights to conduct Petroleum Operations in accordance with the Mozambican legislation, which undertakes to carry out or implement Petroleum Operations, or make any type of amendments to ongoing Petroleum Operations.

Article 2 **Purpose**

These Regulations define the procedures for the EIA for petroleum operations and the measures of prevention, control, mitigation and rehabilitation of the environment.

Article 3 **Scope**

These Regulations apply to petroleum operations of public and private initiative.

Article 4
Phases of the Environmental Impact Assessment Process

1. For the purposes of these Regulations, the following comprise the phases of the EIA process for petroleum operations:
 - a) Conception of the project proposal;
 - b) Pre-Assessment;
 - c) Scope Definition;
 - d) EIS or SES;
 - e) The EIS or SES Report;
 - f) Report Review;
 - g) Decision;
 - h) Public Participation;
 - i) Monitoring and Audit.
2. The projects classified as C are exempted from the scope definition, the EIS and the SES.
3. Petroleum operations are subject to a prior EIA.

Article 5
Classification of petroleum operations

For the purposes of the categorization of the petroleum operations, activities are classified in:

- a) Category A: activities subject to the conduct of an EIS;
- b) Category B: activities subject to the conduct of a SES, except the cases foreseen in these Regulations; and
- c) Category C: activities subject to the compliance with the standards of good environmental management.

Article 6
Powers

1. It is the responsibility of the Ministry which oversees the Environmental sector to:
 - a) Verify and ensure, in coordination with the Ministry which oversees the Petroleum sector, compliance with the provisions of these Regulations;
 - b) Proceed to the environmental categorization of petroleum operations, in coordination with the Ministry which oversees the Petroleum sector;
 - c) Review the PSSD and the ToR, in coordination with the Ministry which oversees the Petroleum area;
 - d) Approve the ToR for category A activities and category B activities;
 - e) Approve the EIS Report for category A activities;
 - f) Approve the SES Report for category B activities;
 - g) Approve the environmental instructions issued in the scope of these Regulations;
 - h) Monitor the development of petroleum operations in coordination with the Ministry which oversees the Petroleum sector;
 - i) Coordinate with the Ministry which oversees the Petroleum sector and further public and private entities matters related to the drafting and execution of policies,

- agreements and other actions related to the environmental control over Petroleum Operations;
- j) Issue an Environmental License for Category A Activities and category B Activities and;
 - k) Issue a Declaration of Exemption for Category C Activities.
2. It is the responsibility of the Ministry which oversees the Petroleum sector to:
- a) Coordinate, with the Ministry which oversees the Environmental sector, the EIA process;
 - b) Participate in the process of review of the PSSD and the ToR, draft the relevant opinion and remit it to the Ministry which oversees the Environmental sector;
 - c) Participate in the review of the EIS and the SES Reports, in accordance with the Instructions issued for such purposes and remit the relevant opinion to the Ministry which oversees the Environmental sector;
 - d) Propose environmental instructions, in the scope of these Regulations;
 - e) Propose policies, agreements and other actions related to environmental control, in respect of petroleum operations; and
 - f) Issue opinions in respect of amendments to the production process or the petroleum operations' installed capacity and remit them to the Ministry which oversees the Environmental area.
3. Any Opinions in respect of proposed Petroleum Operations shall be sent to the Ministry which oversees the Environmental sector within 15 days from submission thereof.

Article 7
Inter-Institutional Group for Petroleum Operations

1. In accordance with the nature, size and geographical location of the Petroleum Operation to be carried out, the Ministry which oversees the Petroleum sector may create an Inter-institutional Group.
2. It is the responsibility of the Inter-Institutional Group for Petroleum Operations:
 - a) To review the PSSD and the ToR, as well as to draft the relevant opinions;
 - b) To review the EIS and SES reports, in accordance with instructions issued for the purpose and draft the relevant comments and;
 - c) To issue opinions in respect of any matters requested.
3. Individuals who have or have had any conflict of interest directly or indirectly related to the activity under analysis and which belong to any pressure group with ties of competing interests with those under analysis and review [sic] may not be members of the Inter-Institutional Group for Petroleum Operations.

Article 8
Time limits for Notification of the Decisions

1. The Ministry which oversees the Environmental area shall observe the following time limits:
 - a) Pre-Assessment – up to 7 business days;
 - b) PSSD and ToR Review– up to 20 business days;
 - c) EIS Report – up to 45 business days;

- d) SES Report – up to 30 business days and;
 - e) Declaration of Exemption – up to 7 business days.
2. The time limits referred to in the preceding paragraph are counted from the date of registration of the submission of the respective documentation at the Ministry which oversees the Environmental sector, and are suspended whenever complementary information is requested and resume when such information is duly presented by the proponent.
 3. The proponent is required to submit the complementary information within 30 days, subject to cancellation of its process, except in duly justified circumstances.
 4. Under exceptional circumstances, the Minister who oversees the Environmental area, upon duly justified proposal from the entity responsible for the EIA, may extend the time limits established in paragraph 1 of this article, for a period to be determined according to the complexity, activity, magnitude, proceeding with the immediate notification of the Proponent.

CHAPTER II ENVIRONMENTAL IMPACT ASSESSMENT PROCESS

SECTION I PHASES OF THE EIA PROCESS

Article 9 Submission of the project proposal

For the purposes of pre-assessment, the proponent submits to the Ministry which oversees the Environmental area sector the following information and documentation:

- a) Its identification and professional domicile;
- b) Description of the petroleum operations in respect of its functionalities, technologies used, location alternatives, among others, the materials to be used;
- c) Legal and factual justification for the petroleum operation;
- d) Description of the biophysical and socio-economic environment affected;
- e) Description of the potential impacts on the environmental components affected;
- f) Annexes, containing maps on an appropriate scale and designs of the petroleum operations.

Article 10 Pre-Assessment

1. Once the project proposal of the petroleum operation is submitted, the pre-assessment to be conducted by the responsible Environmental Authority follows.
2. In accordance with the activities the implementation of which results in impacts on the environmental components, the Environmental Authority shall decide on:
 - a) the refusal of the proposal; or
 - b) the carrying out of an EIS; or
 - c) the carrying out of a SES; or
 - d) the exemption from carrying out an EIS or an SES.

3. The pre-assessment is carried out on the basis of the following information:
 - a) Information provided during the preparation of the process
 - b) Prior knowledge of the area of implementation of the petroleum operation
 - c) Environmental conditions existing at the site of implementation of the petroleum operation
4. For activities exempted from EIS or SES, the Ministry which oversees the Environmental area issues the relevant Declaration of Exemption.

Article 11 **Scope Definition**

1. The scope definition comprises the PSSD and ToR and is mandatory prior to the commencement of Category A and B activities.
2. For petroleum operations classified as Category A or B, the proponents shall proceed with the scope definition which results in the submission of the respective PSSD and ToR to the Ministry which oversees the Environmental area, for [its] approval.
3. The PSSD is comprised by the following information and documentation:
 - a) Identification and professional domicile of the proponent
 - b) Background of the EIA process;
 - c) The EIA process to be followed;
 - d) Identification and professional domicile of the EIA consultants responsible for the prospective draft of the EIS:
 - e) Pre-Feasibility Studies;
 - f) Scope Definition;
 - g) The Report on Public Participation;
 - h) Definition of ToR;
 - i) Assessment of the impacts' significance;
 - j) The EIS Report;
 - k) Description of the intended Petroleum Operations and their functionalities, technologies used and their alternatives, materials to be used during the construction, operation and decommissioning phases;
 - l) Legal and factual justification of the Petroleum Operations;
 - m) Description of the biophysical and socio-economic environment affected;
 - n) Description of the potential impacts on the environment components affected;
 - o) Timetable of the studies to be carried out and the phases of setting up the Petroleum Operations;
 - p) Identification of the main impacts to be fully investigated;
 - q) The direct and indirect area of influence;
 - r) The fatal questions which would preclude the continuation of Petroleum Operations;
 - s) Annexes containing maps on an appropriate scale, designs of the Petroleum Operations, reports of public consultations
4. The PSSD and the ToR report is drafted in the Portuguese language and submitted to the Ministry which oversees the environmental area in the number of copies requested during the pre-assessment, in physical and electronic form.

SECTION II

ENVIRONMENTAL IMPACT STUDY

SUBSECTION I

CATEGORY A ACTIVITIES

Article 12 EIS Report

1. The conduct of the EIS is mandatory prior to the commencement of Category A activities, constituting an obligation of the proponent of the activity which shall submit it to the Ministry which oversees the Environmental sector.
2. The EIA is prepared on the basis of the PSSD and ToR approved by the relevant environmental sector entity.

Article 13 Content of the EIS Report

1. The EIS Report for the activities classified as category A shall contain at a minimum the following information:
 - a) Identification and professional domicile of the proponent;
 - b) Identification of the environmental consultant registered or certified by the Ministry which oversees the environmental area as well as the team responsible for the prospective draft of the EIS and their respective functions;
 - c) Non-technical summary in respect of the main issues considered, conclusions and proposals;
 - d) Geographical delimitation and representation, as well as a brief description of the environmental reference situation of the Area of Influence;
 - e) Description of the Petroleum Operation to be carried out and the different actions foreseen for the performance thereof, their impacts and mitigation measures;
 - f) The factual and legal justification of the petroleum operation and its insertion in the existing land management plans for the direct Area of Influence of the activity;
 - g) Identification of gaps of information and measures to minimize them;
 - h) Identification, classification and assessment of potential environmental impacts, as well as the identification of mitigation measures;
 - i) Description of the environment components to be addressed in the study, including:
 - j) Description of emissions into the sea, air and soil;
 - k) Description of possible property and cultural heritage monuments that may be affected;
 - l) Assessment of the possible consequences of the technical solutions chosen;
 - m) Environmental criteria and the impacts on the environment taken into consideration in choosing technical solutions and;
 - n) Description of the possible measures planned in order to prevent, control, mitigate and the possibility of rehabilitation and offsetting the possible negative effects on the Environment.
 - o) Obtaining of licenses, approvals or concessions from entities which oversee other sectors of activity that must be requested in accordance with the applicable legislation;

- p) Description of the systems that shall be applied for the control and monitoring of the activities and their effects;
 - q) Detailed description and comparison of the different alternatives and future environmental forecast with or without mitigation measures;
 - r) Environmental Management plan of the activity which includes the monitoring of impacts, the environmental education program, contingency Plans of Response to Emergency Situations;
 - s) The report on Public Participation as provided in these regulations;
 - t) Assessment of impacts, including the cumulative ones.
2. The EIS is presented in report format, drafted in the Portuguese language, in the number of copies requested during the approval of the PSSD in physical and electronic form.

Article 14 Decommissioning and Rehabilitation Plan

1. The EIS Report comprehends the Decommissioning and Rehabilitation Plan.
2. The Decommissioning and Rehabilitation Plan shall contain at least the following:
 - a) Identification and professional domicile of the proponent;
 - b) Identification of the environmental consultant registered or certified by the EIA Authority, as well as the team responsible for the prospective drafting of the EIS and their respective functions;
 - c) Non-technical summary in respect of the main issues considered, conclusions and proposals;
 - d) Description of the effects which removal, collection, disposal and closure may have on environmental and commercial aspects in the Area of Influence;
 - e) Description of the working methods and techniques for carrying out discharges and emissions related to the disposal of substances harmful to the Environment, in order to cure or attenuate any damage or negative effect;
 - f) Description of the Areas of Influence;
 - g) Description of the techniques for preventing hazards to human life and to the marine environment in the case of decommissioning of offshore facilities;
 - h) Description of the disposal and treatment to be given to chemical and hazardous materials to be found in the facilities and;
 - i) Restoration of the area and possible future uses.

SUB SECTION II CATEGORY B ACTIVITIES

Article 15 SES Report

1. The conduct of the SES is mandatory for Category B activities, constituting an obligation of the proponent of the activity to perform it and submit the respective report to the Ministry which oversees the Environmental sector.
2. The SES Report is drafted on the basis of the PSSD and ToR approved by the Ministry which oversees the Environmental sector.

Article 16
Content of the SES Report

1. The SES covers every extension of area which may be affected by the Petroleum exploration activities, and shall at a minimum contain:
 - a) Identification and professional domicile of the proponent;
 - b) Identification of the environmental consultant registered or certified by the EIA Authority, as well as the team responsible for the drafting of the SES and their respective functions;
 - c) Location of the Petroleum Operations on a map on an appropriate scale, indicating the limits of the direct Area of Influence of the environmental impacts of the relevant operations;
 - d) The factual and legal justification for the Petroleum Operations to be carried out and its insertion in the existing land management plans for the direct Area of Influence of the respective activity;
 - e) Description of the Petroleum Operations to be carried out and the different actions foreseen in the different phases for the performance thereof, as well as the respective alternatives;
 - f) The effects of the Petroleum Operations to be carried out on the communities, on industry, on commercial activities, including the measures of prevention, control, mitigation, rehabilitation and compensation thereof;
 - g) Description of the Environment that may be directly or indirectly negatively affected, to assess and to make a balanced judgment in respect of the environmental impact of the exploration activities, including:
 - i. Description of emissions into the sea, air and soil;
 - ii. Description of the possible material assets and cultural heritage monuments that may be affected as a result of the exploration;
 - iii. Assessment of the possible consequences of the technical solutions chosen;
 - iv. Clarify how environmental criteria and impacts on the environment were taken into consideration in choosing technical solutions;
 - v. Description of the measures planned in order to prevent, control, mitigate and the possibility of rehabilitation and offsetting possible negative effects on the Environment;
 - vi. Assessment of impacts including the cumulative ones.
 - h) Obtaining of licenses, approvals or concessions from the entities which oversee other sectors of activity required in accordance with the applicable legislation;
 - i) Consideration of emergency and contingency measures;
 - j) Description of the systems that shall be applied to control and monitor the activities and their effects;
 - k) Environmental Management Plan of the activity which shall include the monitoring of impacts, environmental education programs and contingency plans and risk and emergency situations;
 - l) Presentation of a summary of the above referred matters and;
 - m) Report on Public Participation.

Article 17
EIS for Category B Activities

1. Category B activities are preceded by an EIS in the following circumstances:
 - a) When the Area of Influence is close or in the presence of ecosystems recognized by the national and international legislation, with special statute of preservation;

- b) Sensitive habitats, infra-structures and human occupation;
 - c) Presence of areas of conservation;
 - d) Area of artisanal fishing;
 - e) Area of tourism activity and;
 - f) Other protection areas which may suffer negative effects arising from the Petroleum Operations.
2. In the cases provided under paragraph 1 of this article the procedures in respect of Category A activities shall be observed, under the terms of these Regulations.

SUBSECTION III CATEGORY C ACTIVITIES

Article 18 Category C Activities

1. Category C activities are those which by their nature do not entail damage to the environment, among which [the following] are highlighted:
- a) Magnetic and electromagnetic surveys;
 - b) Geological surveys;
 - c) Gravimetric surveys;
 - d) Geothermal circulation measurements;
 - e) Radiometric measurements;
 - f) Geochemical surveys;
 - g) Collection of soil and seafloor samples, and drilling of cores to a maximum of 100 meters;
 - h) Scientific studies conducted by scientific research institutions but not including seismic acquisition;
 - i) Basic surveying for knowledge of the area and;
 - j) Other activities which do not entail negative impacts on the environment and public health.
2. The Ministry which oversees the environment area sector issues a Declaration of Exemption for the activities foreseen in the preceding paragraph.

SECTION III PUBLIC PARTICIPATION

Article 19 Public Participation Process

1. The EIS and the SES shall be subject to Public Participation.
2. Public Participation consists in Public Consultation of the natural and legal persons, public or private, directly or indirectly interested and affected by the conduct of the Petroleum Operations, being mandatory for Category A Activities and Category B Activities.
3. Public Participation is the responsibility of the proponent and entails the provision of all information in respect of the activity to be performed and the decisions [to be] taken, and the response of the interested and affected parties to clarification requests.

4. The proponent shall send the proposal of the EIA or the SES to the interested and affected parties, to the relevant authorities, industrial organizations and relevant trade associations on a timely basis and to the appropriate location.
5. The notice of Public Consultation shall be made public up to 15 days before the date it is carried out, and shall be published in the most widely read national newspaper, on television, on radio, by means of posters, by email, by fax and the Ministry which oversees the Environmental area may determine other means such as publication in other channels of information, public information meetings or, further, other means deemed appropriate for publicity in that location.
6. A reasonable time limit, not exceeding 15 days, shall be stipulated for the submission of comments to the Ministry which oversees de Environmental sector.
7. In order to assure broad dissemination and participation of all interested and affected parties, the reports produced under the scope of the EIA or the SES, as well as all the support material which is relevant shall be available at the offices of the Ministry which oversees the Environmental area and published in the Internet.
8. The proponent shall prepare a final report containing all the comments from the Public Participation.

SECTION IV REPORT OF THE ENVIRONMENTAL IMPACT STUDY

Article 20 Review of the EISR

1. The EISR and the SESR shall be submitted for approval of the Ministry which oversees the Environmental area sector.
2. Once the EIS or the SES report is received, the Ministry which oversees the Environmental sector shall proceed with the relevant review taking into consideration the PSSD and ToR, the approved technical rules and instructions, including the harmonization of comments which have been received for such purpose.
3. The Ministry which oversees the Environmental sector may, after hearing the Ministry which oversees the Petroleum sector, return the report in the event these are not in conformity with the provisions established in these Regulations.

Article 21 Environmental License

1. After approval, as applicable, the Ministry which oversees the Environment sector shall issue the respective Environmental License for Category A and Category B activities, within 8 days after the payment of the fees due.
2. The Environmental License is valid for a period of 5 years, renewable for the same period, upon request for its updating, which shall be submitted by the proponent to the Ministry which oversees the Environment sector, 180 days before the end of its validity.

CHAPTER III FEES AND FINES

Article 22 Fees

1. Fees corresponding to 0,01% of the total amount of the investment are due for the environmental licensing of category A and B activities.
2. Fees corresponding to 0,01% of the total amount of the investment are due for the issuing of a declaration of exemption for category C activities.
3. For the purposes of commencement of the EIA process, the proponent shall pay a fee in the amount of 10,000.00 MT.
4. In the event the proponent wishes to change the name on the Environmental License, he shall pay the amount corresponding to 30,000.00 MT, 20,000.00 Mt and 10,000.00 MT, for category A and B environmental licenses, as well as for the declaration of exemption for category C activities, respectively.

Article 23 Administrative Infractions

1. Every action or omission which violates the provisions of these Regulations is considered an administrative infraction.
2. Administrative infractions are punished, in the manner established in these Regulations, with the following penalties:
 - a) Warning;
 - b) Fine; and
 - c) Seizure of the instruments of the infraction in favour of the State.
3. The obstruction or hindrance of the performance of functions established for the entities referred to in this article constitutes administrative infraction punishable with a fine between 2,500,000.00 MT and 5,000,000.00 MT, in addition to imposition of other penalties provided under the general law.
4. The fine is imposed by the entity which oversees the environment area, upon opinion from the Ministry which oversees the Petroleum area, in accordance with the seriousness of the infraction.
5. In the event of recurrence, the fine shall be the double of the amount stated in paragraph 3 of this article.

Article 24

Destination of the Amounts Collected

1. The amounts collected arising from fees shall be divided:
 - a) 60% for the State Budget;

- b) 20% for the Environment Fund and;
 - c) 20% for the National Institute of Petroleum.
2. The amounts collected resulting from the fines shall be divided:
- a) 40% for the State Budget;
 - b) 30% for the Environment Fund;
 - c) 30% for the National Institute of Petroleum.

Article 25
Updating of Fees and Fines

The amounts of fees and fines established in these Regulations shall be updated by Joint Diploma of the Ministers who oversee the Environmental, Petroleum and Finance sectors.

CHAPTER IV
ENVIRONMENTAL AUDIT AND INSPECTIONS

Article 26
Environmental audit and Inspection

It is the responsibility of the Ministry which oversees the Environment area, in coordination with the Ministry which oversees the Petroleum area, to audit and inspect the Petroleum Operations.

Article 27
Monitoring of environmental impacts

- 1. The proponent shall undertake the monitoring of the affected environmental components' parameters, in accordance with the terms of the Environmental Management Plan.
- 2. The proponent shall send environmental monitoring reports to the entities which oversee the Environmental and Petroleum areas, in accordance with the terms of the Environmental Management Plan.

CHAPTER IV [sic]
FINAL AND TRANSITORY PROVISIONS

Article 28
Costs

The proponent is responsible for the payment of costs arising from the EIA process, including the costs related to Public Participation, possible environmental damages, resettlement, compensation and others.

Article 29
Concession Contracts in Force

As for the concession contracts concluded before the effective date of these Regulations, these shall remain in force, provided that they are in conformity with the provisions established [sic].

Article 30
Amendment or expansion of the project

Any expansion or amendment of the terms of the Petroleum Operations which was not foreseen in the EIS or the SES shall be communicated in writing to the Ministry which oversees the Environmental sector.